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Gallatin City-County Health Department

Environmental Health Services
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ORDER OF HEALTH OFFICER

HO-2020-004

March 16, 2020

WHEREAS, the World Health Organization has declared the worldwide outbreak of COVID-19 Novel Coronavirus a pandemic;

WHEREAS, the Montana Governor declared a statewide emergency relating to COVID-19 on March 12, 2020 via executive order 2-2020;

WHEREAS, President Donald Trump declared a countrywide emergency related to COVID-19 on March 13, 2020 via presidential proclamation;

WHEREAS, as of March 15, 2020, the United States Centers of Disease Control and Prevention (CDC) indicates there are over 1600 cases and 41 deaths in the United States;

WHEREAS, most states in the United States are experiencing confirmed cases of COVID-19;

WHEREAS, the Montana Department of Public Health and Human Services (DPHHS) recognizes COVID-19 as a threat to the residents of Montana;

WHEREAS, there is a confirmed case of COVID-19 in Gallatin County;

WHEREAS, the Gallatin City-County Health Department has also worked to identify, contact, and test individuals in Gallatin County who have been potentially exposed to COVID-19 in coordination with the State of Montana Department of Public Health and Human Services and the CDC;

WHEREAS, proactively implementing mitigation measures to slow the spread of the virus is in the best interests of Gallatin County and its people;

WHEREAS, COVID-19, a respiratory disease that can result in serious illness or death and is a new strain of Coronavirus that had not been previously identified in humans and can easily spread from person-to-person;

WHEREAS, the CDC identifies the potential public health threat posed by COVID-19 both globally and in the United States as "high" and has advised that person-to-person spread of the COVID-19 will continue to occur globally, including within the United States, Montana, and Gallatin County;

WHEREAS, the circumstances of this outbreak may exceed the capacity of the services, personnel, equipment, supplies and facilities of Gallatin County;

WHEREAS, based upon all of the above, on March 15, 2020, the Governor of the State of Montana, in consultation with public health authorities, has both closed all non-residential public schools in Montana through March 27, 2020 and strongly recommended the limiting of all gatherings, specifically gatherings of more than 50 people;

WHEREAS on March 16, 2020, President Donald Trump recommended that, for the next 15 days, all Americans avoid groups of more than 10 people, and avoid eating and drinking at bars, restaurants, and food courts.

WHEREAS, bars, breweries, wineries, distilleries, restaurants, and casinos are expected to have larger than average gatherings of people during the week of Saint Patrick's Day;

WHEREAS, pursuant to Section 50-2-116(1)(g) of the Montana Code Annotated, the Gallatin City-County Board of Health has the duty to "protect the public from the introduction and spread of communicable disease or other conditions of public health importance, including through actions to ensure the removal of filth or other contaminants that might cause disease or adversely affect public health";

WHEREAS, the Gallatin City-County Health Officer has determined that the potential spread of COVID-19 constitutes a public health emergency and actions must be taken to avert and minimize the outbreak of this communicable disease and;

WHEREAS, pursuant to Section 50-2-118 of the Montana Code Annotated, a local health officer in carrying "out the purpose of the public health system shall take steps to limit contact between people in order to protect the public health from imminent threats, including but not limited to ordering the closure of buildings or facilities where people congregate and cancelling events";

WHEREAS, closing buildings and facilities that provide dining room food service is likely to reduce the number of Gallatin County residents who contract COVID-19, will protect individuals likely to experience severe symptoms, minimize long term social and economic impacts of COVID-19, and will help to preserve and protect the Gallatin County health care delivery system to ensure that health care professionals can continue caring for impacted individuals in the community;

WHEREAS, the Gallatin City-County Health Officer has determined that he should utilize his authority to close buildings and facilities to prevent the spread of COVID-19 within Gallatin County, Montana.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Title 50, Chapter 2, Part 1, and specifically Section 50-2-118 of the Montana Code Annotated,

1: All bars, breweries, wineries, distilleries, restaurants, and casinos shall be closed to the public beginning at 9:00 p.m. Monday, March 16, through Tuesday, March 24, 8:00 a.m., pending further notification.

2: Notwithstanding the foregoing, restaurants may operate on a limited basis by providing service via take-out, drive-through, and/or delivery. Restaurants that maintain dining room facilities in addition to take-out, drive-through and/or delivery operations must close their dining room operations.

3. Breweries, distilleries, and wineries may continue to make alcoholic beverages, but may not operate tasting rooms, or otherwise serve non-sealed alcoholic beverages to the public.

4: Food service establishments which provide the primary meal sources for a population that lives or works within its buildings, such as University-based dining facilities or cafeterias in hospital and care facilities may remain open to the population such an establishment serves.

5. This order does not apply to grocery stores or deli counters within grocery stores, or to convenience stores. Convenience stores with combined restaurants shall close their dining room facilities.

6: Violations of this order shall be punished pursuant to Sections 50-2-123, and 50-2-124, Montana Code Annotated.

MATT KELLEY
HEALTH OFFICER FOR GALLATIN CITY-COUNTY HEALTH DEPARTMENT

State of Montana

County of Gallatin

This record was acknowledged before me on _____ by _____

Notary Signature